

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36412 of 2023

Arising Out of PS. Case No.-11 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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SANJEEV KUMAR YADAV @ SANJEEV KUMAR RAY son of Uday
Shankar Yadav Village- Nanaura Ward no-11, Ps- Keoti Dist- Darbhanga
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 341.28 liters of liquor from the house of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted that he came to be implicated based on secret
information which is the easiest way to implicate someone, it is



further submitted that it absolutely does not stand to reason that if the recovery was made from the house of the petitioner then where was the occasion for the police to implicate him based on secret information, it is thus submitted that recovery was not from the house rather it was from a place outside the house of the petitioner which led to false implication of the petitioner in the present case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with P.R. P.S. Case No. 11 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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